

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office.....MAY 28 1992.....

Returned to applicant for correction.....

Corrected application filed.....Map filed.....MAY 28 1992.....under 57710.....

The applicant.....Burns Bros., Inc.....

621 Southeast Union Ave.....of.....Portland.....

Street and No. or P.O. Box No.

City or Town

Oregon 97214.....hereby make.... application for permission to change the

State and Zip Code No.

Point of Diversion & Manner of Use from Quasi-municipal to commercial

Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under.....permit No. 44273.....

Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

identify right in Decree.

1. The source of water is.....underground.....
Name of stream, lake, underground spring or other source.
2. The amount of water to be changed......50 cfs.....
Second feet, acre feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for.....commercial purposes.....
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
4. The water heretofore permitted for.....quasi-municipal purposes.....
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
5. The water is to be diverted at the following point.....within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 33, T.33N.,
Describe as being within a 40-acre subdivision of public survey and by course and
R.35E., M.D.B.&M., or at a point from which the W $\frac{1}{4}$ corner of said Section 33 bears
distance to a section corner. If on unsurveyed land, it should be stated.
S 40° 49' W 1600.50 feet.
6. The existing permitted point of diversion is located within.....The SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 33, T.33N.,
If point of diversion is not changed, do not answer.
R.35E., M.D.B.&M., or at a point from which the W $\frac{1}{4}$ corner of said Section 33 bears
S 50° 38' W 1708.0 feet.
7. Proposed place of use.....Unchanged.....
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
8. Existing place of use.....portions of the NW $\frac{1}{4}$ and the W $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 33, T.33N., R.35E.,
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or
M.D.B.&M.
manner of use of irrigation permit, describe acreage to be removed from irrigation.
9. Use will be from.....January 1st.....to.....December 31st.....of each year.
Month and Day Month and Day
10. Use was permitted from.....January 1st.....to.....December 31st.....of each year.
Month and Day Month and Day
11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.).....completed, well drilled, pump, motor, pipelines
State manner in which water is to be diverted, i.e. diversion structure.
& water distribution system installed.
ditches, pipes and flumes, or drilled well, etc.
12. Estimated cost of works.....in excess of \$30,000.00.....
completed, 24" well, 635' deep, 12" casing,
13. Estimated time required to construct works.....200' surface seal, 15 h.p. Red Jacket pump &
motor, 8 con-air tanks, 2" totalizing meter.

14. Estimated time required to complete the application of water to beneficial use.....one year.....

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

.....This application is being filed to connect the point of diversion.....

.....the well was drilled in the adjacent 40 acres subdivision. This.....

.....application also changes the manner of use.....

By s/Robert N. Caldwell
Robert N. Caldwell, Agent
146 W. Second St.
Winnemucca, Nevada 89445

Compared.....bc/bc.....ab/se.....

Protested.....

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion and manner of use of the waters of an underground source as heretofore granted under Permit 44273 is issued subject to the terms and conditions imposed in said Permit 44273 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The total combined duty of water under Permits 44275, Certificate 13463; 57710; 57711 and 58505 shall not exceed 8.96 million gallons annually.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed.....0.5.....cubic feet per second, but not to exceed 7.5.....

.....million gallons annually.....

Work must be prosecuted with reasonable diligence and be completed on or before.....January 26, 1994.....

Proof of completion of work shall be filed before.....February 26, 1994.....

Application of water to beneficial use shall be made on or before.....January 26, 1997.....

Proof of the application of water to beneficial use shall be filed on or before.....February 26, 1997.....

Map in support of proof of beneficial use shall be filed on or before.....N/A.....

Completion of work filed.....MAR 30 1994.....

Proof of beneficial use filed.....APR 03 1998.....

Cultural map filed.....

Certificate No. 15085 Issued.....DEC 21 1998.....

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.,
State Engineer of Nevada, have hereunto set my hand and the seal of my

office, this.....28th.....day of.....June.....

A.D. 19.....93.....

Michael Turnipseed P.E.
State Engineer